

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion is respectfully requested.

Claims 1-7 are pending in the application, and are amended by the present amendment. Support for the amended claims can be found in the original specification, claims and drawings.¹ No new matter is added.

In the Final Official Action of September 7, 2005 (hereinafter, “the Final Official Action”), Claims 1-7 were rejected under 35 U.S.C. § 102(a) as anticipated by Stetz, “Cell Phone Handbook.”

Applicants respectfully submit that amended independent Claims 1, 6 and 7 state novel features clearly not taught or rendered obvious by the applied reference.

Amended Claim 1 recites, *inter alia*, an information processing apparatus comprising:

an input configured to receive, from a radio broadcast station, question identification information identifying a question presented by the radio broadcast station and first identification information identifying said radio broadcast station...

a validity judgment means for forming a judgment on validity of said question identification information, said radio broadcast station identification information and said radio signal receiver identification information;

an information assignment means for assigning customer identification information identifying a customer to said radio signal receiver identification information; and

an information outputting means for outputting said customer identification information assigned by said information assignment means as information for receiving a question identified by said question identification information.

Amended Claim 1 relates to a device for generating customer identification information for a user, allowing the user to anonymously respond to a question (e.g., a contest question) presented by a radio broadcast station. Specifically, the question is sent by

¹ E.g., specification, Figs. 1 and 4-11.

a merchant over a radio broadcast, and responding to such an offer typically involves a customer submitting personal information (e.g. personal profile) to a server or another device to answer a question presented (e.g., for age verification purposes, etc.). The present inventor, therefore, identified a benefit in automating the transmission of profile information while maintaining a certain level of anonymity to the customer.

Turning to the applied reference Stetz provides a high-level functional description of a cellular telephone and corresponding network. In addressing the features recited in independent Claim 1, the Final Official Action relies on p. 38-39 of Stetz. The cited portion of Stetz describes that when a cellular telephone is turned on, the phone “tells” its ESN to the carrier which then is able to determine whether the submitted ESN is valid. The Advisory Action of December 1, 2005, also asserts that a cellular telephone call in Stetz corresponds to the claimed “content.”

Stetz, however, fails to teach or suggest receiving, from a radio broadcast station, ***question identification information identifying a question presented by the radio broadcast station***, and outputting customer identification information assigned to a radio signal receiver as ***information for receiving a question identified by said question identification information***, as recited in amended independent Claim 1.

In contrast, Stetz, simply describes the system level functionality of a cellular phone system and fails to teach or suggest receiving a “question” or “question identification information” from a “radio broadcast station,” whatsoever. As noted above, independent Claim 1 is amended to recite an apparatus for receiving a question identification and a radio broadcast station identification, and performing a validity judgment on such information. Then, an anonymously identified user (e.g., by way of the “information assignment means”)

outputs identification information to receive the question presented by the radio broadcast station.

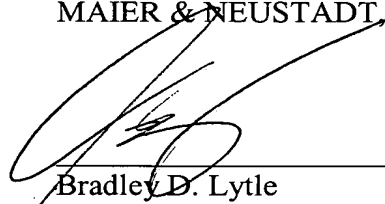
Stetz fails to teach or suggest the above noted features recited in amended independent Claim 1.

Accordingly, Applicant respectfully requests that the rejection of independent Claim 1 under 35 U.S.C. § 102(a) be withdrawn. For substantially the same reasons as provided with respect to Claim 1, it is also submitted that amended independent Claims 6 and 7 also patentably define over Stetz.

Consequently, in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-7 is definite and patentably distinguishing over the applied reference. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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